



Town of Merrimack, New Hampshire

Community Development Department

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Planning - Zoning - Economic Development - Conservation

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Memorandum

Date: April 21, 2022

To: Richard Conescu, Chair, & Members, Zoning Board of Adjustment

From: Casey Wolfe, Assistant Planner

Subject: **Jianmin Song (petitioner) and TW Bridge Associates LLC (owner)** – Variance under Section 2.02.1.A of the Zoning Ordinance to permit a personal services establishment (massage therapy center) in the R-4 (Residential, by soils) District whereas such use is not permitted. The parcel is located at 10 Twin Bridge Road Unit 1B in the R-4 (Residential, by soils) District. Tax Map 5D3, Lot 115-1B. Case #ZBA 2022-12.

The following information is provided to aid in your consideration of the above referenced case. Additional background and application materials are included in your packet.

Background & Project Description

Map 5D3, Lot 115-1B is located at 10 Twin Bridge Road Unit 1B in the R-4 (Residential, by soils) District. The subject property is serviced by public water (Merrimack Village District) and municipal sewer. The lot is currently the site of two office buildings. It is abutted by the Commons Plaza to the northwest, an Eversource substation to the north, and by residential uses to the south.

The petitioner seeks a Variance under section 2.02.1.A of the Zoning Ordinance to permit a personal services establishment (massage therapy center) in the R-4 (Residential, by soils) District whereas such use is not permitted.

The site has been used commercially since 1985 when a previously existing single family home was approved by Variance for the sale and servicing of office equipment. A year later in 1986, a Variance was obtained for an expansion of this use and a site plan for a 12,000 square foot commercial building (currently the “rear” building on the lot) was subsequently approved by the Planning Board that same year. Later in 1997, professional office tenants were allowed on the second floor by Variance, and in 1998 the “front” building was approved for commercial office space. Since that time, other uses such as a child care center, a church, and a light manufacturing use have been approved by Variance on this property. The petitioner now seeks a Variance to permit a personal services establishment.

Standard of Review

It is the burden of the petitioner to demonstrate that the five criteria for the granting of Variance under Section 2.02.1.A of the Zoning Ordinance to permit a personal services establishment (massage therapy center) in the R-4 (Residential, by soils) District whereas such use is not permitted, are met.

Should the Board find that the petition meets the variance criteria; staff recommends that any approval be conditioned upon the following:

- 1) The petitioner shall obtain Administrative Approval from the Community Development Department for the proposed personal services establishment.

Ec: Jianmin Song, Petitioner
TW Bridge Associates, LLC., Owner
Building Department Staff
John Manuele, Fire Department
Phil Appert, Wastewater Division
Cc: Zoning Board File